

EXHIBIT 33

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ABBY LINEBERRY, TERRY MICHAEL
COOK and MIGUEL CORDERO, individually
and on behalf of all others similarly situated,

Plaintiffs,

vs.

ADDSHOPPERS, INC., and PEET'S COFFEE,
INC.,

Defendants.

Case No. 3:23-cv-01996-VC

**[PRELIMINARY] PROPOSED VERDICT
FORM**

VERDICT 1¹

Plaintiff claims that AddShoppers violated the California Invasion of Privacy Act. To establish this claim, Plaintiff must prove all of the following:

1. That AddShoppers willfully intercepted a communication while it was in transit or being sent or received within the state of California.
2. That AddShoppers read or attempted to read or learn the contents or meaning of the communication.
3. That AddShoppers did not have consent of all parties to the communication.

On Plaintiff's claim for violations of CIPA against AddShoppers, as submitted in Instruction No. _____, we, the undersigned jurors, find in favor of:

(Plaintiff) OR (Defendant)

Note: Complete the following paragraph only if the above finding is in favor of Plaintiff.

Damages Calculation for CIPA Claim:

The factfinder must award statutory damages of \$5,000 per violation.

Number of violations proven against AddShoppers: _____

Total damages awarded against AddShoppers: \$ _____

Foreperson

Date: _____

VERDICT 2

Plaintiff claims that Peet's aided and abetted violations of the California Invasion of Privacy Act. To establish this claim, Plaintiff must prove all of the following:

1. That Peet's knew AddShoppers intercepted a communication while it was in transit or being sent or received within the state of California.
2. That Peet's gave substantial assistance or encouragement to AddShoppers.

¹ Plaintiffs submit this proposed verdict form to demonstrate that a class action trial on the claims for certification would be easily manageable. They reserve the right to revise or amend this form as the litigation advances.

On Plaintiff's claim for aiding and abetting violations of CIPA against Peet's, as submitted in Instruction No. _____, we, the undersigned jurors, find in favor of:

(Plaintiff) OR (Defendant)

Damages Calculation for CIPA Claim:

The factfinder must award statutory damages of \$5,000 per violation.

Number of violations proven against Peet's: _____

Total damages awarded against Peet's: \$ _____

Foreperson

Date: _____

VERDICT 3

Plaintiff claims that AddShoppers violated the Comprehensive Computer Data and Access Fraud Act. To establish this claim, Plaintiff must prove all of the following:

1. That plaintiff is the owner of data
2. That AddShoppers knowingly accessed plaintiff's data on a computer, computer system, or computer network;
3. That AddShoppers' access of plaintiff's data was without permission;
4. That plaintiff was harmed; and
5. That AddShoppers' conduct was a substantial factor in causing plaintiff's harm.

On Plaintiff's claim for violations of CDFA against AddShoppers, as submitted in Instruction No. _____, we, the undersigned jurors, find in favor of:

(Plaintiff) OR (Defendant)

Note: Complete the following paragraph only if the above finding is in favor of Plaintiff.

Damages Calculation for CDAFA Claim:

Please specify the amount of compensatory damages awarded to Plaintiff for harm caused by AddShoppers:

Compensatory damages: \$ _____

Foreperson

Date: _____

VERDICT 4

Plaintiff claims that Peet's aided and abetted violations of the Comprehensive Computer Data and Access Fraud Act. To establish this claim, Plaintiff must prove all of the following:

1. That Peet's knew AddShoppers knowingly accessed plaintiff's data on a computer, computer system, or computer network.
2. That Peet's gave substantial assistance or encouragement to AddShoppers.
3. That Peet's conduct was a substantial factor in causing harm to Plaintiff.

On Plaintiff's claim for aiding and abetting violations of CDAFA against Peet's, as submitted in Instruction No. _____, we, the undersigned jurors, find in favor of:

(Plaintiff) OR (Defendant)

Note: Complete the following paragraph only if the above finding is in favor of Plaintiff.

Damages Calculation for CDAFA Claim:

Please specify the amount of compensatory damages awarded to Plaintiff for harm caused by Peet's:

Compensatory damages: \$ _____

Foreperson

Date: _____